



Marian Dyer  
Vice President-Federal Regulatory

**ORIGINAL**  
SBC Telecommunications, Inc.  
1401 I Street, N.W.  
Suite 1100  
Washington, D.C. 20005  
Phone 202 326-8835  
Fax 202 408-4805

EX PARTE OR LATE FILED

August 30, 1999

**NOTICE OF EX PARTE PRESENTATION**

Magalie Roman Salas, Esq.  
Secretary  
Federal Communications Commission  
The Portals  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

**RECEIVED**

**AUG 31 1999**

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: *In the Matter of Applications for Transfer of Control to SBC Communications Inc. of  
Licenses and Authorizations Held by Ameritech Corporation , CC Docket No. 98-141*

Dear Ms. Salas:

Please be advised that on Friday, August 27, 1999, Martin Grambow and Paul Mancini of SBC Communications Inc., and James Smith of Ameritech-Ohio, had an oral ex parte communication with Robert C. Atkinson, Thomas G. Krattenmaker, Michelle Carey, Anthony Dale, Daniel Shiman, and Eric Einhorn of the Common Carrier Bureau, in connection with the above-referenced matter. The purpose of our discussion was to address public comments and the staff's questions concerning SBC/Ameritech's proposed merger conditions and staff's questions regarding issues raised in ex parte presentations by other parties. In addition, the above referenced parties discussed how advanced services would be provided in a steady state environment. The attached document was provided to the staff in connection with these discussions. Finally, the above referenced parties answered staff's specific questions concerning the proposed performance parity plan.

In accordance with the Commissions rules concerning ex parte presentations, one copy of this notice is provided. Should you have any questions concerning this matter, please do not hesitate to contact me.

Respectfully submitted,

Attachments

cc: Mr. Atkinson  
Mr. Krattenmaker  
Ms. Carey  
Mr. Dale  
Mr. Shiman  
Mr. Einhorn

No. of Copies rec'd 04  
List ABCDE

### Steady State Provisioning of Advanced Services.

After a transition period (as defined in Sub-paragraph ( ) below, all Advanced Services offered by SBC/Ameritech in the SBC/Ameritech Service Area will be provisioned in accordance with the terms of this Paragraph which are consistent with the provisions of Paragraph 3. After such transition period, the overall responsibility for providing Advanced Services in the SBC/Ameritech Service Area shall rest with a separate Advanced Services affiliate. In fulfilling those responsibilities a separate Advanced Services affiliate may utilize the facilities and services of an incumbent LEC consistent with the provisions of Paragraph 3. Specifically, with respect to SBC/Ameritech's steady state provisioning of Advanced Services in the SBC/Ameritech Service Area, this Paragraph describes 1) the activities that an SBC/Ameritech incumbent LEC may undertake, and associated conditions that apply if an incumbent LEC chooses to perform such activities, and 2) the activities that are the responsibility of a separate Advanced Services subsidiary and which may not be performed by an incumbent LEC.

a. Creating an Inventory of Advanced Services Equipment and Advanced Service Capability. Consistent with the Commission's rules implementing the provisions of 47 U.S.C. § 272( ), the separate Advanced Services affiliate shall be responsible for network planning and engineering functions related to Advanced Services, and these functions may not be provided by an incumbent LEC. The network planning and engineering functions related to Advanced Services that are the responsibility of the separate Advanced Services affiliate and which may not be performed by an incumbent LEC include:

(1) Determining where, when, and how much of an Advanced Services Equipment needs to be deployed to meet forecasted customer demands, and ensuring that such equipment is compatible with the interconnection services (e.g., unbundled local loops) and/or tariffed services (e.g., DS1 special access service) the separate Advanced Services affiliate will purchase from the incumbent LEC.

(2) Arranging for the purchase of Advanced Services Equipment.

(3) Arranging and negotiating for collocation space with the incumbent LEC under the same terms and conditions, and utilizing the processes that are made available to unaffiliated providers, and arranging for any new Advanced Services Equipment to be delivered.

(4) Inventorying, in systems and databases owned by the separate Advanced Services affiliate, its Advanced Services Equipment deployed and identifying whether such equipment is used or available to provide Advanced Services to customers.

The incumbent LEC may, pursuant to the OI&M provisions of Paragraph 3(b), perform the following tasks that are associated with creating an inventory of Advanced Services Equipment and Advanced Service capability:

(5) The incumbent LEC may install the affiliate's Advanced Services Equipment. If the incumbent LEC provides these services to the separate Advanced Services affiliate, it must provide the same services under the same terms and conditions to unaffiliated providers of Advanced Services.

(6) An incumbent LEC technician may connect together various items of Advanced Services Equipment owned by the affiliate located in virtual collocation space or other space controlled by the incumbent LEC, or may connect various items of Advanced Services Equipment owned by the affiliate located in such space with telecommunications services and/or unbundled network elements ordered by the affiliate (e.g., the incumbent LEC technician could connect a DSLAM to an ATM switch via a DS3 special access service ordered by the affiliate), in accordance with a work order from the affiliate. If the incumbent LEC provides these services to the separate Advanced Services affiliate, it must provide the same services under the same terms and conditions to unaffiliated providers of Advanced Services, and it must provide unaffiliated providers access to the same process for sending work orders to the incumbent LEC as the incumbent LEC provides to the affiliate.

(7) An incumbent LEC technician may connect together various items of Advanced Services Equipment owned by the affiliate located in physical collocation space, or may connect various items of Advanced Services Equipment owned by the affiliate located in physical collocation space with telecommunications services and/or unbundled network elements ordered by the affiliate, in accordance with a work order from the affiliate. If the incumbent LEC provides these services to the separate Advanced Services affiliate, it must provide the same services under the same terms and conditions to unaffiliated providers of Advanced Services, and it must provide unaffiliated providers access to the same process for sending work orders to the incumbent LEC as the incumbent LEC provides to the affiliate.

b. Customer Sales Process for New Installations. Consistent with the joint marketing provisions of Paragraph 3a, the incumbent LEC may, on an exclusive basis, complete the sale of Advanced Services on behalf of the separate Advanced Services affiliate utilizing any of the following activities:

(1) On inbound customer calls, the incumbent LEC service representative may discuss Advanced Services with the customer and obtain the customer's agreement to purchase an Advanced Service provided by the separate Advanced Services affiliate,

(2) An incumbent LEC service representative may make outbound calls to discuss Advanced Services with a customer and may obtain the customer's agreement to purchase an Advanced Service provided by the separate Advanced Services affiliate,

(3) During a sales discussion with a customer, an incumbent LEC service representative may review loop qualification information to determine if it is

possible to provide an Advanced Service to the customer provided, however, that the incumbent LEC service representative may only have access to the same loop qualification information of the incumbent LEC as is available to unaffiliated telecommunications providers and may only access such loop qualification information through the same OSS interfaces as are made available to unaffiliated telecommunications providers,

(4) During a sales discussion with a customer, an incumbent LEC service representative may review Advanced Services availability information provided to the incumbent LEC by the separate Advanced Services affiliate to determine whether the affiliate offers a certain Advanced Service in the area where the customer resides,

(5) Upon securing a customer's agreement to purchase an Advanced Service provided by the separate Advanced Services affiliate, the incumbent LEC service representative may obtain all customer information necessary to complete the order (e.g., name, address, due date, premises access information, services, ISP information, CPE information). The incumbent LEC service representative must pass such information to the separate Advanced Services affiliate for further processing of the customer's order by the affiliate.

c. Design of the Customer's Advanced Service Circuit. Consistent with the Commission's rules implementing the provisions of 47 U.S.C. § 272( ), a separate Advanced Services affiliate shall be responsible for circuit design functions related to a customer's Advanced Services sales order, and these functions may not be performed by an incumbent LEC. The separate Advanced Services affiliate is responsible for the overall design of the Advanced Services circuit, but the incumbent LEC is responsible (and the affiliate is not responsible) for the design of unbundled network elements or telecommunications services used in the Advanced Services circuit where these elements or services are provided by the incumbent LEC. The circuit design functions related to a customer's Advanced Services order that are the responsibility of the separate Advanced Services affiliate include:

(1) The identification of Advanced Services network components, unbundled network elements, telecommunications services and work activities necessary to provision the Advanced Service circuit to the customer's premises,

(2) Determining the routing of the Advanced Services circuit and the location(s) of the identified Advanced Services network components, unbundled network elements, and telecommunications services

(3) The creation of a work order to have all such Advanced Services network components, unbundled network elements and telecommunications services made available and all such activities completed. Examples of Advanced Services network components, unbundled network elements and telecommunications services that would be identified in the design stage are i) unbundled local loops and DS1 special access circuits provided by the incumbent LEC, and ii) DSLAMs and ATM switch ports

provided by the separate Advanced Services affiliate. Examples of work activities that would be identified in the design stage are i) the conditioning of an unbundled local loop, ii) the cross-connections required to connect all of the components, and iii) the installation of Advanced Services Customer Premises Equipment ("CPE") at the customer premises,

d. Assignment of the Advanced Services Equipment Required to Provide the Customer's Advanced Services Circuit. Consistent with the Commission's rules implementing the provisions of 47 U.S.C. § 272( ), the separate Advanced Services affiliate shall be responsible for the assignment functions related to the Advanced Services Equipment used to provision a customer's Advanced Services order, and these functions may not be performed by an incumbent LEC. Examples of the assignment functions related to a customer's Advanced Services order that are be the responsibility of the separate Advanced Services affiliate include i) assignment of the DSLAM equipment, and ii) assignment of the ATM switch port.

e. Creating and Maintaining the Customer's Record, Including the Customer's Advanced Service Circuit Layout Record. The separate Advanced Services affiliate shall be responsible for creating and maintaining all records associated with the customer's Advanced Services account, and these records may not be created or maintained by an incumbent LEC. These records may be provided to an incumbent LEC for its use in providing joint marketing (including customer care) and billing and collection services to the separate Advanced Services affiliate. The records that the separate Advanced Services affiliate shall be responsible for creating and maintaining include:

(1) The record that provides the Advanced Services network components, unbundled network elements, and telecommunications services (including location, identification numbers, etc.) utilized by the separate Advanced Services affiliate to provision the customer's Advanced Services circuit. Where the separate Advanced Services affiliate utilizes the telecommunications services or unbundled network elements of the incumbent LEC, the incumbent LEC will be responsible for all records associated with how such services or unbundled network elements are provisioned. For example, if the affiliate orders (from the incumbent LEC) a DS1 special access service from location A to location Z, i) the affiliate's circuit layout record will reflect the DS1 service from location A to location Z, and ii) the incumbent LEC's record will reflect the layout of the circuit utilized to provision the DS1 service (e.g., that the circuit routes from location A through locations B and C before it terminates at location Z).

(2) The record that contains the information necessary to facilitate billing the customer for the Advanced Service being provided to the customer.

f. Ordering, from the Incumbent LEC, the Interconnection Facilities and Telecommunications Services Required to Provide the Customer's Advanced Services Circuit. The separate Advanced Services affiliate shall be responsible for ordering all interconnection facilities (e.g., unbundled local loops) and all telecommunications

services (e.g., DS1 special access service) from the incumbent LEC, and the ordering of such facilities and services may not be performed by an incumbent LEC. The incumbent LEC must permit unaffiliated providers to order such facilities and services under the same terms and conditions, and to utilize the same processes, as are made available to the separate Advanced Services affiliate. In particular, the separate Advanced Services affiliate may utilize only those OSS interfaces for ordering unbundled network elements and other interconnection services as are made available to unaffiliated telecommunications carriers.

g. Connecting and Testing the Network Components and Telecommunications Services Required to Provision the Customer's Advanced Services Circuit. An incumbent LEC technician may, pursuant to the OI&M provisions of Paragraph 3(b), perform the following tasks:

(1) An incumbent LEC technician may, in accordance with a work order received from the separate Advanced Services affiliate, connect the various network components and telecommunications services utilized to provision the customer's Advanced Service circuit. These connections could include (but would not be limited to) the connection from an unbundled loop to a DSLAM port identified by the affiliate, and the connection from a DS1 special access service to an ATM switch port identified by the affiliate. If the incumbent LEC provides these services to the separate Advanced Services affiliate, it must provide the same services under the same terms and conditions to unaffiliated providers of Advanced Services, and it must provide unaffiliated providers access to the same process for sending work orders to the incumbent LEC as the incumbent LEC provides to the affiliate.

(2) An incumbent LEC technician may, in accordance with a work order received from the separate Advanced Services affiliate, test the customer's Advanced Service circuit after all of the various network components and telecommunications services utilized to provision the circuit have been connected together. In performing this test, the technician may use whatever test systems or equipment are typically made available to the technician. If the incumbent LEC provides these services to the separate Advanced Services affiliate, it must provide the same services under the same terms and conditions to unaffiliated providers of Advanced Services, and it must provide unaffiliated providers access to the same process for sending work orders to the incumbent LEC as the incumbent LEC provides to the affiliate.

h. Installing and Testing any CPE Associated with the Customer's Advanced Service. An incumbent LEC technician may, pursuant to the OI&M provisions of Paragraph 3(b), install and test CPE at the customer premises on behalf of the separate Advanced Services affiliate. If the incumbent LEC provides these services to the separate Advanced Services affiliate, it must provide the same services under the same terms and conditions to unaffiliated providers of Advanced Services.

i. Advising the Customer of the Status of the Order. Consistent with the joint marketing provisions of Paragraph 3a, an incumbent LEC service representative may, on an exclusive basis on behalf of the separate Advanced Services affiliate, provide post-sale advice to the customer regarding the status of the customer's order. The incumbent LEC service representative must obtain all information regarding the status of the customer's Advanced Service order from the separate Advanced Services affiliate.

j. Receipt and Isolation of Troubles Affecting the Customer's Advanced Service. Consistent with the joint marketing provisions of Paragraph 3(a), an incumbent LEC service representative may, on an exclusive basis on behalf of the separate Advanced Services affiliate, perform the following tasks:

(1) Receive a customer report of trouble on an Advanced Service provided by the separate Advanced Services affiliate, including a discussion with the customer to identify all information the customer has about the trouble.

(2) Discuss such trouble with the customer to determine whether the trouble might be caused by the customer's Advanced Services CPE.

(3) Access remote testing and diagnostic functionality to isolate the trouble to the Advanced Services network components, unbundled network elements, or telecommunications services used to provision the Advanced Service circuit. In performing such trouble isolation, the incumbent LEC service representative may only access remote testing and diagnostic functionality as is made available to unaffiliated telecommunications carriers.

(4) Send a request to the appropriate work group to have the trouble repaired. If the separate Advanced Services affiliate has contracted with the incumbent LEC (pursuant to the OI&M provisions of Paragraph 3(b)) to have the incumbent LEC maintain the Advanced Service Equipment to which the trouble has been isolated, the incumbent LEC service representative may send the request directly to the incumbent LEC work group that is providing such maintenance provided, however, that the LEC must offer unaffiliated telecommunications carriers the same capability (i.e., to send a repair request directly to the incumbent LEC work group that has been contracted to provide maintenance on the Advanced Services Equipment of the unaffiliated carrier).

k. Repair of Troubles Affecting the Customer's Advanced Service. A separate Advanced Services affiliate is responsible for maintaining and repairing any Advanced Services Equipment it owns. To fulfill this responsibility, a separate Advanced Services affiliate may contract with an incumbent LEC, pursuant to the OI&M provisions of Paragraph 3(b), to maintain and repair Advanced Services Equipment owned by the affiliate. If the incumbent LEC provides these services to the separate Advanced Services affiliate, it must provide the same services under the same terms and conditions to unaffiliated providers of Advanced Services.

l. Servicing the Customer's Account. Consistent with the joint marketing provisions of Paragraph 3(a), an incumbent LEC service representative may, on an exclusive basis on behalf of the separate Advanced Services affiliate, perform certain tasks to service the account of a separate Advanced Services affiliate customer. Specifically, these tasks may include:

- (1) Receiving customer calls to change an account (e.g., change of name, change of billing address).
- (2) Receiving and resolving customer complaints or inquiries.
- (3) Interact with the customer or change the customer's account information to respond to legal actions affecting or involving the customer.
- (4) Interacting with the customer to respond to account balance inquiries and to make payment arrangements.

m. Billing and Collecting for the Advanced Service. Consistent with the joint marketing provisions of Paragraph 3(a), an incumbent LEC may, on an exclusive basis, provide billing and collection services for a separate Advanced Services affiliate provided, however, that the charges of the affiliate must be stated on a separate bill page from the charges of the incumbent LEC.

n. Transitional Mechanisms. In recognition of the fact that the SBC/Ameritech incumbent LECs provided most Advanced Services prior to the Merger Closing Date and to minimize any disruption to the efficient and timely delivery of Advanced Services to customers, several transitional mechanisms have been adopted to permit an orderly transition to the steady state provisioning of Advanced Services described in Sub-paragraphs (a) through (l) above.

(1) Interim Line Sharing. Pursuant to the provisions of Paragraph 3c, an incumbent LEC may provide, on an exclusive basis, Interim Line Sharing (as defined in Paragraph 3c) to a separate Advanced Services affiliate. The duration of this transition mechanism is dependent on when the FCC requires SBC/Ameritech to provide line sharing to unaffiliated telecommunications carriers.

(2) State Approvals for Providing New Activations of Advanced Services. Pursuant to the provisions of Paragraphs 5a, 5b and 5c, an incumbent LEC may continue to provide new activations of Advanced Services until 30 days after the separate Advanced Services affiliate has received all required state certification to provide Advanced Services. The affiliate is required to file for all such approvals prior to the Merger Closing Date.

(3) State Approvals for Providing Advanced Services to Embedded Advanced Services Customers. Pursuant to the provisions of Paragraphs 5a, 5c and 5e ...



(4) Network Planning, Engineering, Design, and Assignment.

Pursuant to the provisions of Paragraph 2b, the incumbent LEC may, on an exclusive basis, provide network planning, engineering, design and assignment functions to the separate Advanced Services affiliate for a period of 180 days after the Merger Closing Date.

(5) Advanced Services Equipment.

Pursuant to the provisions of Paragraph 3c, the incumbent LEC may continue to own Advanced Services Equipment that was installed no later than the date that is 30 days after the Merger Closing Date provided, however, that if the incumbent LEC permits the separate Advanced Services affiliate to use such equipment (except for such equipment that is used to provide Interim Line Sharing) the incumbent LEC must permit unaffiliated telecommunications carriers to use the equipment under the same terms and conditions.